

## Virginia Board of Pharmacy

### Revised Law Effective July 1, 2011 Proof of Identity when Dispensing Schedule II Drugs

Section 54.1-3420.1 of the Drug Control Act (see below) has always authorized a pharmacist to request proof of identity prior to dispensing or refilling prescriptions written for drugs in Schedules II through V.

Effective **July 1, 2011**, subsection B requires that a pharmacist *or his agent* obtain proof of identity at the time of delivery anytime the pharmacist or his agent does not know the patient or the person picking up or "seeking to take delivery" of the Schedule II dispensed drug prescribed for the patient. "Proof of identity" (hereafter referred to as "ID") is defined to mean a driver's license, government-issued identification card, or other photo identification along with documentation of the person's current address. Additionally, there is a requirement to either make a photocopy or electronic copy of the person's identification or record the full name and address whenever someone other than the patient for whom the drug was prescribed *is not known* to the pharmacist or his agent and is picking up or seeking to take delivery of the Schedule II dispensed prescription.

In summary:

- If any person picking up or "seeking to take delivery" of a Schedule II dispensed prescription is known to the pharmacist or his agent, then the pharmacist or his agent is not required to obtain ID.
- If the person picking up the Schedule II dispensed prescription is the patient for whom the prescription is written, and the pharmacist or his agent does not know that person, then the pharmacist or his agent must require ID.
- If anyone other than the patient for whom the prescription is written seeks to take delivery of the drug, and the pharmacist or his agent does not know the person, then the pharmacist or his agent must either make a photocopy or an electronic copy of such person's ID *or* record the full name and address of such person. The pharmacist must keep the record or copy of ID for at least one month.

Also, subsection C states that when a pharmacy delivers a Schedule II drug by mail, common carrier, or delivery service to a Virginia address, the method of delivery employed shall require the signature of the recipient as confirmation of receipt.

*Code of Virginia:*

§ [54.1-3420.1](#). Identification required for filling prescriptions.

A. Before dispensing any drug listed on Schedules III through V, a pharmacist may require proof of identity from any patient presenting a prescription or requesting a refill of a prescription.

*B. A pharmacist, or his agent, shall require proof of identity at the time of delivery from any person seeking to take delivery of any drug listed on Schedule II pursuant to a valid prescription, unless such person is known to the pharmacist or to his agent. If the person seeking to take delivery of a drug listed on Schedule II pursuant to a valid prescription is not the patient for whom the drug is prescribed, and the person is not known to the pharmacist or his agent, the pharmacist or his agent either make a photocopy or electronic copy of such person's identification or record the full name and address of such person. The pharmacist shall keep records of the names and addresses or copies of proof of identity of persons taking delivery of drugs as required by this subsection for a period of at least one month. For the purposes of this subsection, "proof of identity" means a driver's license, government-issued identification card, or other photo identification along with documentation of the person's current address.*

*C. Whenever any pharmacist permitted to operate in the Commonwealth or nonresident pharmacist registered to conduct business in the Commonwealth delivers a prescription drug order for any drug listed on Schedule II by mail, common carrier, or delivery service to a Virginia address, the method of delivery employed shall require the signature of the recipient as confirmation of receipt.*